

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

EUROPE TRUCK LINES, INC.,)
) 09 B 38230
Debtor.) Chap. 11
) Judge Goldgar

TO:

Office of the United States Trustee 219 S. Dearborn Room 873 Chicago, IL 60604 By ECF	Roman L. Sukley Department of Justice Office of the United States Trustee 219 S. Dearborn Room 873 Chicago, IL 60604	Europe Truck Lines, Inc. Attn: Wally 3100 W. Lake Street Melrose Park, IL 60160 By Mail and Facsimile @708-344-7776
Chase Bank c/o Douglas R. Johnson 321 N. Clark 5 th Floor Chicago, IL 60654 By ECF	U.S. Department of Justice Angela B. Friedman, Special Asst. U.S. Attorney By facsimile @312-368-8712	Service List

NOTICE OF FILING

Please take notice that the Debtor has filed a Amended Motion for a Final Decree with the clerk of the court on August 27, 2010, copies of which are attached.

NOTICE OF MOTION

On **Wednesday, September 22, 2010, at 9:30 a.m.** or as soon thereafter as I may be heard, I shall appear before the Honorable Judge Goldgar or any judge sitting in his stead in the courtroom usually occupied by him at 219 South Dearborn Street, Room 613, Chicago, Illinois and move the court for the relief requested in the attached motion.

CERTIFICATE OF SERVICE

Matthew M. Litvak, an attorney, certifies that copies of the foregoing were served upon the above named persons by certified mail return receipt requested on August 28, 2010 by regular mail or ECF where indicated.

/S/ Matthew M. Litvak
Matthew M. Litvak, Esq.
155 N. Harbor Drive
Suite 4301
Chicago, IL 60601-7324
312-337-8131
FAX 888-560-8011
Atty #6208529

SERVICE LIST

The Burgeson Company
c/o Gregory J. Jordan
Jordan, Kowal & Apostol, LLC
200 S. Wacker Drive, 32nd Floor
Chicago, IL 60606 By ECF
ACME Truck Brake and Service
2333 Arthur Ave.
Elk Grove Village, IL 60007

Chartis Insurance
c/o Cisco Inc.
Pob 801088
Houston, TX 77280

Internal Revenue Service
Associate Area Counsel SB/SE
Suite 2300
200 W. Adams Street
Chicago, IL 60604

Marek Krezpina
c/o Steven J. Seidman, Esq.
20 S. Clark Street
Suite 700
Chicago, IL 60603

Pentech Financial Services, Inc.
240 East Hacienda Avenue
Suite 100
Campbell, CA 95008

Pinnacle Business Finance, Inc.
159 S. Worthen St.
Suite 300
Wenatchee, WA 98801

Chase Bank
c/o Douglas R. Johnson
321 N. Clark
5th Floor
Chicago, IL 60654 By ECF
Chrysler Financial Services Americas LLC
c/o Riezman Berger PC
7700 Bonhomme
7th Floor
St Louis, MO 63105 By ECF
AGA Gas
POB 802807
Chicago, IL 60680

Chase Card Member Services
POB 15145
Wilmington, DE 19886

Office of the U.S. Attorney
Civil Process Clerk
219 S. Dearborn
Chicago, IL 60604

Massachusetts Dept. Of Rev.
POB 7027
Boston, MA 02204

United Parcel Service
c/o RMS Bankruptcy Recovery
Services
POB 4396
Timonium, MD 21094
WLODZIMIERZ MICHALSKI
5199 N. MORELAND
NORRIDGE, IL 60706

VFS US LLC
c/o Gordon & Rees LLP
555 17th St.
Suite 3400
Denver, CO 80202 By ECF
Toyota Motor Credit Corporation
Law Offices of John F. Torres
P.O. Box 1028 Downers Grove,
IL 60515
By ECF
AIU Holdings
Cottingham & Butler Insurance Service
POB 28
Dubuque, IA 52004

Internal Revenue Service
Mail Stop 5010 CHI
230 S. Dearborn
Chicago, IL 60604

Internal Revenue Service
D. Patrick Mullarkey
Tax Division (DOJ)
POB 55
Ben Franklin Station
Washington D.C. 20044

Paulson Oil Company
c/o Kralovec Meenan LLP.
53 W Jackson
Suite 1102
Chicago, IL 60604

Wentworth Truck Tire Center
300 N. York Rd.
Bensenville, IL 60106

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AMENDED MOTION FOR ENTRY OF FINAL DECREE

The Debtor, by and through its attorney, Matthew M. Litvak, requests that this court enter a final decree in this case and in support states as follows:

1. The Debtor filed a voluntary Chapter 11 proceeding on October 13, 2009.
2. The Debtor's Plan was confirmed on August 11, 2010. The Plan provides for payment of a 12% dividend to general unsecured creditors over a five-year period, and modification of certain secured claims that will be paid over a shorter period on a monthly basis.
3. Administrative claims that have been allowed by the Court have been paid or otherwise resolved.
4. No initial payment to general unsecured creditors has been made pursuant to the confirmed Plan or will have been paid by the time of the hearing on this motion.
5. The proposed payments and a schedule of payments is attached as Exhibit 1.
6. The Debtor will have begun to make payments to the secured creditors and priority unsecured creditors according to the terms of the Plan at the time this motion is heard.
7. Pursuant to Section 1141(d)(5)(A) of the Bankruptcy Code, the Debtor will not be served by keeping this case open until the five-year period for paying general unsecured claims has passed.
8. In addition, the Debtor should not be required to make quarterly payments to the United States Trustee during the five-year period, in which no action will be required by the Debtor, the Court, or the United States Trustee.
9. No payments are to take place beyond the five year term of the Plan..
10. Given that no reasonable interpretation of Section 1141(d)(5)(A) would contemplate that the Court keep this case open for the 5 years during which the Debtor will be paying secured and general unsecured creditors after which the

Debtor should be entitled to a discharge after completion of payments to general unsecured creditors.

WHEREFORE the Debtor prays that the Court enter a final decree and direct the Clerk of the Court to close the case, with leave to reopen the case without payment of a reopening fee for the sole purpose of entering a discharge upon completion of all payments to general unsecured creditors under the confirmed Plan, or otherwise as provided by Section 1141(d)(5).

/S/ Matthew M. Litvak
Matthew M. Litvak, Esq.
155 N. Harbor Drive
Suite 4301
Chicago, IL 60601-7324
312-337-8131
FAX 888-560-8011
Atty #6208529

PLAN PAYMENTS

EXHIBIT 1

CLAIM #	Mailing Address	Mo. Plan Pmt.	# Months
Claim #1 Supplemented by Claim #18	Dept of the Treasury POB 21126 Philadelphia, 19114	see claim #18	60
Claim #2	Wentworth Truck Tire Center 300 N. York Road Bensenville, IL 60106	\$1,255.21 Paid in the 60 th month	1
Claim #3	Chrysler Financial Services Americas, LLC c/o Riezman Berger PC 7700 Bonhomme 7th Floor St Louis, MO 63105	\$562.19	56
Claim #4	Chartis Insurance c/o Cisco Inc. POB 801088 Houston, TX 77280	\$2,493.37 Paid in the 60 th month	
Claim #5	Chase Bank USA NA POB 15145 Wilmington, DE 19850-5145	\$2,508.70 Paid in the 60 th month	
Claim #6	Chase Bank USA NA POB 15145 Wilmington, DE 19850-5145	\$1,799.39 Paid in the 60 th month	
Claim #7	Massachusetts Dept. Of Rev. POB 7027 Boston, MA 02204	\$118.02	60
Claim #8	United Parcel Service c/o RMS Bankruptcy Recovery Services POB 4396 Timonium, MD 21094	\$24.09 Paid in the 60 th month	
Claims # 9-15	Toyota Motor Credit Corporation/Toyota Financial Services/Lexus Financial Services 1900 S. Western Ave. WF-21 Torrance, CA 90501	\$6,217.12	56

Claim # 16	ACME Truck and Brake 2333 Arthur Ave. Elk Grove Village, IL 60007	\$338.83 Paid in the 60 th month	
Claim #17	JP Morgan Chase Business Banking AZ1-1024 ATTN: William Payne 201 N. Central Ave. Phoenix, AZ 85004	\$2,858.49 Due by the 22nd.	56
Claim #18 Unsecured	Dept of the Treasury POB 21126 Philadelphia, 19114	\$691.35 Paid in the 60 th month	
Claim #19 Priority	Dept of the Treasury POB 21126 Philadelphia, 19114	\$2,331.23.	60
Claims #20 - 24	Volvo Financial Services c/o Gordon & Rees LLP 555 17th St. Suite 3400 Denver, CO 80202	\$5,950.20	56
Claim #25			
Lease Default cure amount	The Burgeson Company	\$1,010 Monthly	60
Lease Monthly rent to be paid in 1/4 installments each week during the month. Year 1, Sep. thru March \$8,000 per month, April Thru August, \$13,670 per month	The Burgeson Company 3525 Cass Court Suite 408 Oak Brook, IL 60523		12
Year 2, Sep. thru March \$8,000 per month, April Thru August, \$13,670 per month	The Burgeson Company 3525 Cass Court Suite 408 Oak Brook, IL 60523		12
Year 3, Sep thru March \$8,000 per month, April Thru August, \$14,270 per month.	The Burgeson Company 3525 Cass Court Suite 408 Oak Brook, IL 60523		12

Year 4, Sep thru March \$8,000 per month, April Thru August, \$15,200 per month	The Burgeson Company 3525 Cass Court Suite 408 Oak Brook, IL 60523		12
Year 5, Sep thru March \$8,000 per month, April Thru August, \$17,600 per month.	The Burgeson Company 3525 Cass Court Suite 408 Oak Brook, IL 60523		12
53' 2005 Wabash trailer SER. #1JJV532W45L899744 Pentech contract #40852	Pentech Financial Services 240 E. Hacienda Ave. Suite 100 Campbell, CA 95008	\$410.36	56
53' 2005 SER. #1GRAA06285W704354 Pentech contract #40852	Pentech Financial Services 240 E. Hacienda Ave. Suite 100 Campbell, CA 95008	\$410.36	56
53' 2000 Utility trailer SER. # 1UYVS2532YU413606	Pentech Financial Services 240 E. Hacienda Ave. Suite 100 Campbell, CA 95008	\$184.66	56
53' 2000 Utility trailer SER. # 1UYVS2532YU413607	Pentech Financial Services 240 E. Hacienda Ave. Suite 100 Campbell, CA 95008	\$184.66	56